

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**WILLIAM TATE, individually and on
behalf of all others similarly situated,**

Plaintiff,

v.

HARTSVILLE/TROUSDALE COUNTY,

Defendant.

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**Case No. 3:09-0201
Judge Campbell**

ORDER

For the reasons set forth in the accompanying Memorandum, the court hereby rules as follows:

(1) Defendant's "Motion for Summary Judgment" (Docket No. 57) is hereby GRANTED and Plaintiff William Tate's claims are hereby DISMISSED WITH PREJUDICE;

(2) Defendant's "Motion to Deem Statements of Undisputed Facts to be Undisputed for Purposes of Motion" (Docket No. 75) is hereby DENIED AS MOOT; and

(3) In light of this Order, the parties shall file supplemental briefs by November 1, 2010 on Defendant's "Motion to Decertify Class" (Docket No. 80). The court will then consider the request to decertify, whether there is a suitable substitute to serve as a class representative in this case, and whether the Tables filed by Plaintiff should be stricken.

Further, and in light of the foregoing rulings, Plaintiff's "Motion for Extension of Time in Which to File Response" (Docket No. 82) is hereby GRANTED insofar as he seeks an extension of time to file a response to Defendant's Motion to Decertify and Motion to Strike Tables. Plaintiff's request for additional time to respond to Defendant's Motion to Deem Facts Undisputed is hereby DENIED AS MOOT.

By contemporaneous Order, the trial is continued to June 7, 2011 at 9:00 a.m. The pretrial conference is rescheduled for May 20, 2011 at 2:30 p.m.

It is so Ordered.

A handwritten signature in black ink, reading "Todd Campbell", written over a horizontal line.

Todd J. Campbell
United States District Judge